

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 832 – SB 807

February 14, 2023

SUMMARY OF BILL: Increases, from 50 percent to 70 percent, the percentage of restitution for victims of aggravated assault, injured in the scope of their official duties as employees of a penal institution, that is required to be deducted from the inmate's commissary account.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 39-13-102(e)(3)(A), a court is required to order a person convicted of aggravated assault to pay restitution to the victim of the offense, with 50 percent of the restitution ordered being deducted from an inmate's commissary account or any other account or fund established by or for the benefit of the inmate while incarcerated, if:
 - The victim of the assault is a correctional officer, guard, jailer, or other full-time employee of a penal institution, local jail, or workhouse;
 - The offense occurred while the victim was in the discharge of official duties and within the victim's scope of employment; and
 - The person committing the assault was at the time of the offense, and at the time of the conviction, serving a sentence of incarceration in a public or private penal institution.
- The proposed legislation increases the percentage of restitution to 70 percent for such victims.
- Increasing the percentage of restitution required to be deducted from an inmate's commissary account for such victims of aggravated assault will not result in any significant increase in expenditures to state or local government; therefore, any impact is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

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